

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x

TIDER TORRES,

07 CV 3473 (GEL)

Plaintiff,

-against-

DECLARATION OF NICOLE
BELLINA IN SUPPORT OF
MOTION FOR REASONABLE
ATTORNEYS FEES AND COSTS

THE CITY OF NEW YORK, DEPARTMENT OF
CORRECTION COMMISSIONER MARTIN HORN,
CHIEF CAROLYN THOMAS, DEPUTY WARDEN
ROBERT SHAW, CORRECTION OFFICER JACK
MIDDLETON, CAPTAIN TABETHA RUGBART,
CORRECTION OFFICER SANCHEZ,

Defendants.

----- x

NICOLE BELLINA declares under penalty of perjury and pursuant to 28 U.S.C. §1746

that the following is true and correct:

1. I submit this declaration in support of plaintiff's motion for an order determining reasonable attorneys' fees and costs pursuant to defendants' Rule 68 Offer of Judgment. This declaration demonstrates that I possess the qualifications and experience to be awarded an hourly rate of \$350.
2. I affirm that the contemporaneous time records attached as Exh. D are true and accurate.
- A. **General Description of Stoll, Glickman & Bellina, LLP ("SGB")**
3. The law firm was founded by Andrew Stoll in 2002. I joined the firm in 2005 and became a partner in 2006. The firm now consists of three partners, am associate and an assistant.

4. The members of SGB have collectively tried over fifty criminal trials to verdict, and have briefed and argued appeals before the United States Court of Appeals for the Second Circuit and the New York State appellate courts.
5. The members of SGB, specifically partner Leo Glickman, also specialize in election and campaign finance law and represent many political candidates throughout New York City.
6. The members of SGB have handled over a hundred civil rights cases from inception to conclusion, including trials in the SDNY.
7. The members of SGB are counsel of record in several published decisions.

B. Qualifications and Experience of Nicole Bellina

8. I graduated from Fordham University School of Law in 1998.
9. I am admitted to the New York State Bar, the Southern and Eastern Districts of New York and the Court of Appeals for the Second Circuit.
10. From 1998 to 2005, I was employed as a public defender for the Legal Aid Society of New York, Criminal Defense Division. I tried over twenty criminal cases to verdict while employed by Legal Aid. As a senior staff attorney, I handled and tried cases involving serious felony charges and mandatory persistent felons. While at Legal Aid, I participated in a death row appeal and received an award for outstanding pro bono service.
11. After leaving Legal Aid, I joined SGB. As part of the firm I have handled several federal criminal cases, including a trial before the Honorable Judge Sifton in the EDNY. I also have handled over 50 felony and misdemeanor state criminal cases throughout the five boroughs including several hearings and trials.

12. I have briefed and argued an appeal before the Court of Appeals for the 2nd Circuit.
13. I have handled more than 50 civil rights cases while a partner at SGB including a trial before the Honorable Judge Scheindlin in the SDNY.
14. While at the firm, I have also handled several family court matters, including delinquency and custody cases in Brooklyn Family Court.

C. Time Records

15. Annexed as Exh. D is SGB's contemporaneous time records in this case. The records are chronological to demonstrate the logical progression of the case. Time spent by Ms. Conti-Cook is marked ASSOCIATE TIME. Time spent by the assistant is marked ASSISTANT TIME. All other entries reflect time spent by Nicole Bellina.
16. As demonstrated in the time records, at a rate of \$ 350 per hour for partner time, \$200 for associate time and \$100 for assistant time, counsel generated \$4580.00 in attorneys' fees prosecuting this case.

D. Costs

17. The costs are detailed at the end of the time records. Attached as Exh. F are the receipts for filing fees, medical records and process server.

Dated: January 11, 2008
Brooklyn, New York

Nicole Bellina
Stoll, Glickman & Bellina, LLP
71 Nevins St.
Brooklyn, NY 11217